

REMARKS

This responds to the Office Action mailed on July 27, 2005.

Claims 2, 5, 9, 10, 13-15, 27 and 28 are amended. Claims 1 and 26 are canceled without prejudice and no claims are added. As a result, claims 2-15 and 27-29 remain pending in this application.

§112 Rejection of the Claims

Claims 9 and 28 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 9 has been amended to provide an antecedent basis for the two features mentioned in the Office Action.

Claim 28 has been rewritten to overcome the rejection. It was dependent upon claim 27 but was deemed to contradict the features of claim 27. It is now an independent claim incorporating the features of claim 26. Claim 27 was also rewritten incorporate the features of claim 26.

Reconsideration and allowance of claims 9 and 28 is respectfully requested.

§102 Rejection of the Claims

Claims 1, 5-8, and 26 were rejected under 35 USC § 102(e) as being anticipated by Kim et al. (U.S. 2005/0062150 A1).

Applicant respectfully reserves the right to swear back of the cited Kim publication, if necessary, at some time in the future.

Claims 1 and 26 have been cancelled.

Claim 5 which was dependent upon claim 1 has been amended to be dependent upon amended claim 2 which was indicated in the Office Action to be allowable if rewritten to include rewritten to include all of the limitations of claim 1. Amended claim 2 incorporates all of the limitations of claim 1 so that dependent claims 5-8 are all allowable.

Reconsideration and allowance of amended claim 5 and dependent claims 6-8 is respectfully requested.

§103 Rejection of the Claims

Claims 10-12 and 27-29 were rejected under 35 USC § 103(a) as being unpatentable over Kim et al. supra.

Claim 14 was rejected under 35 USC § 103(a) as being unpatentable over Kim et al. as applied to claim 1 above, and further in view of Murata et al.

Claim 15 was rejected under 35 USC § 103(a) as being unpatentable over Kim et al. as applied to base claim 1 above, and further in view of Graczyk et al.

Applicant respectfully reserves the right to swear back of the cited Kim publication, if necessary, at some time in the future.

With regard to the cited Kim publication cited in the Office Action in support of all of the §103 obviousness rejections, Applicant respectfully points out that the present application and the Kim patent application were, at the time that the inventions of the present application were made, owned by Intel Corporation. For that reason Kim is disqualified from being used in any of the obviousness rejections in the present Office Action. Reconsideration and allowance of claims 10-12 and 27-29, as amended is respectfully requested.

Allowable Subject Matter

Claims 2-4 and 13 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 2 is now allowable since it has been rewritten as required. Dependent claims 3 and 4 are allowable since they depend from allowable claim 2.

Claim 9 was indicated to be allowable if rewritten to overcome the rejection(s) under 35 USC § 112 set forth in the Office Action. Claim 9 has been amended to overcome the lack of antecedent basis rejection and has been amended to incorporate all of the limitations of claim 1.

Reconsideration and allowance of claims 2-4, 9 and 13 is respectfully requested.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6970 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date

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By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27th day of January, 2006.

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